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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission: 28

Application Number	10/065,248
Filing Date	September 27, 2002
First Named Inventor	Doris MacAllister
Art Unit	3764
Examiner Name	Huong Q. Pham
Attorney Docket Number	02-094-DM

ENCLOSURES *(Check all that apply)*

- [x] Fee Transmittal Form
  - [x] Fee Attached
- [ ] Amendment/Reply
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
- [x] Extension of Time Request
- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
- [ ] Reply to Missing Parts/ Incomplete Application
  - [ ] Reply to Missing Parts under 37 CFR 1.52 or 1.53
- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation
- [ ] Change of Correspondence Address
- [ ] Terminal Disclaimer
- [ ] Request for Refund
- [ ] CD, Number of CD(s) _____
  - [ ] Landscape Table on CD
- [ ] After Allowance Communication to TC
- [ ] Appeal Communication to Board of Appeals and Interferences
- [x] Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- [ ] Proprietary Information
- [ ] Status Letter
- [ ] Other Enclosure(s) (please Identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Lambert & Associates, P.L.L.C.		
Signature			
Printed name	Gary E. Lambert		
Date	August 24, 2006	Reg. No.	35,925

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Gary E. Lambert	Date	8-24-06

PTO/SB/17 (07-06)
Approved for use through 01/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005

☑ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 310.00

Complete if Known	
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METHOD OF PAYMENT (check all that apply)

☑ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☑ Deposit Account Deposit Account Number: 12-0115 Deposit Account Name: Lambert & Associates

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**

☑ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☑ Credit any overpayments

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES Fee ($)	FILING FEES Small Entity Fee ($)	SEARCH FEES Fee ($)	SEARCH FEES Small Entity Fee ($)	EXAMINATION FEES Fee ($)	EXAMINATION FEES Small Entity Fee ($)	Fees Paid ($)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims _____ - 20 or HP = _____ Extra Claims x Fee ($) _____ = Fee Paid ($) _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims _____ - 3 or HP = _____ Extra Claims x Fee ($) _____ = Fee Paid ($) _____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims: Fee ($) _____ Fee Paid ($) _____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets _____ - 100 = _____ Extra Sheets / 50 = _____ Number of each additional 50 or fraction thereof (round **up** to a whole number) x Fee ($) _____ = Fee Paid ($) _____

4. OTHER FEE(S)

	Fees Paid ($)
Non-English Specification, $130 fee (no small entity discount)	
Other (e.g., late filing surcharge): Petiton for a One Month Extension and Appeal Brief Fee	310.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 35,925	Telephone 617-720-0091
Name (Print/Type)	Gary E. Lambert		Date August 24, 2006

Appl. No.	:	10/065,248
Applicant	:	Doris MacAllister
Filed	:	September 27, 2002
TC/A.U.	:	3764
Examiner	:	Pham, Huong Q.
Docket No.	:	02-094-DM

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Sir or Madam:

Please find enclosed an Appeal Brief in support of the above-referenced application.

REAL PARTY IN INTEREST

The real party in interest is Ms. Doris MacAllister, as inventor and applicant.

RELATED APPEALS AND INTERFERENCES

There are no appeals or interferences known to appellant, the appellant's legal representative, or assignee which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

STATUS OF CLAIMS

Claims 1-20 have been finally rejected and are the subject of this appeal.

STATUS OF AMENDMENTS

No amendments have been filed subsequent to final rejection.

SUMMARY OF CLAIMED SUBJECT MATTER

Claim 1

Claim 1 defines a device for prevention of abnormal joint rotation, comprising an appendage securing section a torso securing section coupled to the appendage securing section wherein the correcting pressure exerted by the torso securing section upon the appendage securing section counters the direction of the abnormal joint rotation. **Page 9, [c 1].**

Also as illustrated in claim 19, a method for preventing the internal rotation of the hip is disclosed, featuring providing directed pressure upon the leg which suffers from the internal rotation of the hip, by utilizing a the instant apparatus of claim 1. **Page 11 - 12, [c 19].**

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claim rejections – 35 U.S.C. §102(b)

The examiner has rejected claims 1-3, 5, and 7-18 under 35 U.S.C. §102(b) as being anticipated by Kawasaki et al. U.S. Patent No. 5,486,194 (hereinafter "Kawasaki").

With regard to claims 1 and 5, the Examiner is of the opinion that Kawasaki teaches a device capable of prevention of the abnormal joint rotation (when the device is wrapped around a person as shown in Figures 5A-5C and 11A-11B, it can perform the functions as claimed), comprising an appendage securing section construction arranged to secure to an appendage and a torso securing section having means for coupling to the appendage securing section (note Figures 5A-5C and 11A-11B); wherein the torso securing section is constructed and arranged to secure to the torso of the patient and capable of applying correcting pressure directed upon the appendage securing section, wherein the correcting pressure exerted by the torso securing section upon the appendage securing section is capable of countering the direction of the abnormal joint rotation.

With regard to claims 2-3 and 8-12, the Examiner is of the opinion that the device of Kawasaki is capable of applying the recited correcting pressure.

With regard to claim 7, the Examiner notes that that band of Kawasaki is made of low-stretchable fiber and therefore has a certain degree of elasticity.

With regard to claim 13, the Examiner notes that the appendage securing section of Kawasaki has a first end and a second end; and the torso securing section has a first end, an intermediate section, and a securing end, wherein the securing end of the torso

securing section has means for coupling to the appendage securing section (Figures 5A-5C).

With regard to claims 14-15, the Examiner notes that the appendage securing section of Kawasaki has means 11 for coupling of the first end of the appendage securing section to the second end of the appendage securing section.

With regard to claims 16 and 17, the Examiner notes that the torso securing section of Kawasaki has means for coupling of the first end of the torso securing section to the intermediate section of the torso securing section (all sections are connected).

With regard to claim 18, the Examiner notes that the second end of the appendage securing section is joined to the first end of the torso securing section thereby forming a wrap.

The Examiner rejected claim 20 under 35 U.S.C. 102(b) as being unpatentable over Hori et al. U.S. Patent No. 5,464,420 (hereinafter "Hori"). The Examiner is of the opinion that Hori teaches the recited structure (note Figures 1 and 16) including an appendage securing section having a first end and a second end (note Figure 16); a torso securing section having a first end, an intermediate section, and a securing end, wherein securing end of the torso securing section has means for coupling to the appendage securing section, where in the second end of the appendage securing section is joined to the first end of the torso securing section (note Figure 16); and including the steps of wrapping the appendage securing section of the wrap at least once around the thigh; wrapping the torso securing section at least once around the patient's torso by bringing the torso securing section of the wrap up and over the front of the thigh and over the abdomen, over patient's lateral side, and over patient's lower back; and coupling of the

securing end of the torso securing section of the wrap to the appendage securing section at the front of the thigh.

Claim rejections – 35 U.S.C. §103

The Examiner has rejected claim 4 under 35 U.S.C. §103(a) as being unpatentable over Kawasaki in view of Engel U.S. Patent No. 5,993,375 (hereinafter "Engel"). Noting the comments above regarding the teachings of Kawasaki, the Examiner is of the opinion that Engel teaches magnets secured on a torso securing device for magnetic therapy (Figure 4). In view of this alleged teaching of Engel, the Examiner is of the opinion that it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a magnetic body to the torso securing section of Kawasaki to provide magnetic treatment to a user.

The Examiner has rejected claims 6 and 19 under 35 U.S.C. §103(a) as being unpatentable over Kawasaki. Noting the comments above regarding the teachings of Kawasaki, the Examiner is of the opinion with regard to claim 6 that the device of Kawasaki has a structure which is capable of being used on a shoulder joint.

Noting the comments above regarding the teachings of Kawasaki, the Examiner is of the opinion with regard to claim 19 that Kawasaki teaches the recited steps, including the steps of placing the first end of the appendage securing section of the wrap against an inside of patient's thigh of the leg wherein the appendage securing section of the wrap is positioned in front of the thigh (Figure 5A, the first end is the part at the inside of a patient's thigh); wrapping the appendage securing section of the wrap at least once around the thigh (note Figure 5B); wrapping the torso securing section at least once around the patient's torso by bringing the torso securing section of the wrap up and over

the lateral side of the hip, over patient's lower back, and over patient's lateral side; and coupling of the securing end of the torso securing section of the wrap to the appendage securing section at the front of the thigh.

The Examiner is further of the opinion that by performing these wrapping steps, the device of Kawasaki is secured to a patient is the manner as recited, and when in place as recited, the device of Kawasaki performs the function of preventing the external rotation of the hip as recited.

ARGUMENT

Rejections Under 35 U.S.C. 102(b)

Claim 1, 5

The Examiner has rejected claims 1-3, 5, and 7-18 under 35 U.S.C. 102(b) as being anticipated by Kawasaki, et al., U.S. Patent No. 5,486,194 (hereinafter "Kawasaki"). As noted by the Examiner, 35 U.S.C. 102(b) states that:

> A person shall be entitled to a patent unless -
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Therefore, for the applicable claims, Applicant's invention will be unpatentable only if each and every element claimed in the application is disclosed by Kawasaki. It shall also be noted that there are no specific 102(b) rejections made for claims 1-3, 5, or 8-12 other than the general comments on page 2. Regardless, the arguments contained herein should be sufficient to overcome any rejections of these claims, whether general or specific.

Kawasaki does not disclose each and every element of Applicant's invention. The Examiner asserts generally that Kawasaki teaches a device capable of prevention of abnormal joint rotation. However, there is no supporting evidence of this assertion as absolutely no teaching toward any such configuration exists in the claims or specification of Kawasaki.

"Inherency . . . may not be established by probabilities or possibilities. The mere fact that a certain thing *may* result from a given set of circumstances is not sufficient." In

re Oelrich, 666 F.2d 578, 581 (Fed. Cir. 1990) (quoting Hansgirg v. Kemmer, 102 F.2d 212, 214 (C.C.P.A. 1981) (emphasis added).

A review of the specification and claims of Kawasaki illustrates an absolute dearth of teaching regarding an apparatus comprising an appendage securing section construction arranged to secure to an appendage and a torso securing section having means for coupling to the appendage securing section; wherein the torso securing section is constructed and arranged to secure to the torso of the patient and capable of applying correcting pressure directed upon the appendage securing section, wherein the correcting pressure exerted by the torso securing section upon the appendage securing section is capable of countering the direction of the abnormal joint rotation.

In fact, as shown herein, the wrapping portions of the Kawasaki apparatus are designed only to secure mechanisms (to prevent bleeding) to the **external surface** of the human body. Thus, the Kawasaki apparatus was intentionally not designed and therefore affords no thought toward proper direction or constraint of internal joints.

The apparatus disclosed in Kawasaki consists of a one-piece wrap that never encompasses any embodiment to support the leg. In fact, as described in the patent, this leg wrapping portion **1a** of the band **1** is designed only to support a balloon and house a fluid feed tube **6** linked to a balloon, as it may be deemed. Thus, the patent contains absolutely no teaching whatsoever toward utilization of the leg wrapping portion **1a** as a device, nor could it, as the leg wrapping portion is ill sized and improperly configured to complete such a task as the leg wrapping portion never completely encompasses the leg in the proper manner as achieved by the instant invention. (Kawasaki, column, 7, lines 60 -67, column 8 lines 1 – 10)

Moreover, the Examiner entirely failed to specifically cite to any portion of the specification or claims in issuing the rejection at hand. Instead, the Examiner offered only a generalized rejection wholly lacking proper bases and directing Applicant to figures which, as shown above can not pertain to the instant invention. A review of the specification and claims of Kawasaki illustrates the Examiner's reasoning for failing to proffer proper citation – none exists. In fact, a review of the specification of Kawasaki illustrates that the apparatus teaches away from the use of apparatuses functioning in the manner as that of the Applicant's invention.

A reference may be said to teach away when a person of ordinary skill, upon reading the reference would be discouraged from following the path set out in the reference, or would be led in a direction divergent from the path that the applicant took. In Re Gurley, 27 F3d 551, 31 USPQ 2d, 1131 (Fed. Cir. 1994). In general, a reference teaches away if it suggests that the line of development flowing from the reference's disclosure is unlikely to be productive of the result sought by the applicant. United States v. Adams, 383 U.S. 39, 52, 148 USPQ 193, 199 (Fed. Cir. 1983). Therefore, the Examiners rejections must fail.

Therefore, clearly, as no support for the Examiner's reasoning exists in Kawasaki, there can be no anticipation of claims 1 and 5 based upon the unsupported assertion that the band of Kawasaki is capable of countering the direction of the abnormal joint rotation.

Claims 2, 3

In regard to claim 2, as shown above, nothing in the Kawasaki apparatus is designed to "counter the direction of the external rotation of the joint." "Inherency . . . may not be established by probabilities or possibilities. The mere fact that a certain thing *may* result from a given set of circumstances is not sufficient." In re Oelrich, 666 F.2d 578, 581 (Fed. Cir. 1990) (quoting Hansgirg v. Kemmer, 102 F.2d 212, 214 (C.C.P.A. 1981) (emphasis added).

Once again, the Examiner entirely failed to specifically cite to any portion of the specification or claims in issuing the rejection at hand. Instead, the Examiner offered only a generalized rejection wholly lacking proper bases and directing Applicant to figures which, as shown above can not pertain to the instant invention. A review of the specification and claims of Kawasaki illustrates the Examiner's reasoning for failing to proffer proper citation – none exists.

Therefore, clearly, as no support for the Examiner's reasoning exists in Kawasaki, there can be no anticipation of claim 2 based upon the unsupported assertion that the band of Kawasaki is capable of exerting the correcting pressure by the torso securing section upon the appendage securing section counters the direction of the external rotation of the joint.

Regarding claim 3, once again, the above reason regarding claims 1 and 5 applies as the Kawasaki apparatus applies only to the external securing of mechanisms to the body and not to countering abnormal joint rotation. Although this siThe mere fact that a certain thing *may* result from a given set of circumstances is not sufficient."

Therefore, clearly, as no support for the Examiner's reasoning exists in Kawasaki, there can be no anticipation of claim 3 based upon the unsupported assertion that the band of Kawasaki is capable of exerting the correcting pressure by the torso securing section upon the appendage securing section counters the direction of the internal rotation of the joint.

Claim 7-18

With regard to claim 7, Kawasaki claims a band made of non-or low-stretchable fiber. Applicant's claim 7 recites an "elastic material." Therefore, Kawasaki teaches an element that is distinctly different from elastic, i.e. non or low stretchable fiber and thus actually teaches away from use of the design of claim 7. Therefore, this limitation of Kawasaki clearly precludes the Examiner's finding that cannot be said to meet the "each and every element" requirement of 35 U.S.C. 102(b).

Regarding claim 13, the Examiner's contention that Kawasaki includes an appendage securing section that has a first end and a second end, and a torso securing section that has a first end, and intermediate section and a securing end is simply not accurate. To the contrary, Kawasaki discloses a single band that has one end that includes projections, and the other end portion of the band that can be thrusted on said projections. Kawasaki, col. 4, lines 50-55, and col. 17, line 10. Because the band of Kawasaki is limited to a single band with only two ends, it is impossible for Kawasaki to disclose an appendage securing section that has a first end and a second end, and a torso securing section that has a first end, and intermediate section and a securing end. Therefore, Kawasaki does not anticipate these elements of Applicant's invention.

Applicant's invention, as recited in claim 16 discloses the addition of a coupling means to the device. Claim 18 discloses that the device may be joined together to form a single band wrap. These embodiments, along with simple claim differentiation principles illustrate once again that Kawasaki does not come close to teaching Applicant's invention. As claimed and depicted in Applicant's drawings, figures 1-4, the torso section and the appendage section are separate elements. Kawasaki claims a single band, therefore, the anticipation analysis may end with claim 1 of Kawasaki. The dependent status of the remainder of Applicant's claims make them immune to any possibility of anticipation by Kawasaki as well, because if the independent claim elements are not anticipated, claims depending therefrom cannot be anticipated either.

Therefore, clearly, as no support for the Examiner's reasoning exists in Kawasaki, there can be no anticipation of claims 7-18 based upon the unsupported assertion that the band of Kawasaki is capable of countering the direction of the abnormal joint rotation.

Rejections Under 35 U.S.C. 103(a)

As noted by the examiner, 35 U.S.C. 103(a) states that:

> a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Therefore, Applicant's invention will be unpatentable if the differences between it and the combined knowledge disclosed in the patents granted to Kawasaki in view of Engel are such that applicant's invention would have been obvious.

The invention that was made, however, does not make itself obvious; that suggestion or teaching must come from the prior art. Uniroyal, Inc. v. Rudkin-Wiley Corp., 837 F.2d 1044, 1051-52, 5 USPQ 29 1434, 1438 (Fed. Cir. 1991). (It is impermissible to reconstruct the claimed invention from selected pieces of prior art absent some suggestion, teaching, or motivation in the prior art to do so). It is impermissible to use the claimed invention as an instructional manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. Clearly here, the Examiner has "pieced together" the obviousness rejection as Applicant's invention not only teaches away form the individual references, but even further from the inoperative combination of the references.

The Examiner has rejected claim 4 as being unpatentable over Kawasaki in view of U.S. Patent No. 5,993,375 to Engel (hereinafter "Engel"). Like Kawasaki, Engel teaches a system to attach, or strap, something to the human body, in this case an external magnetic therapy device. The Examiner's argument is valid if, and only if, the previous arguments with regard to the disclosure of Kawasaki are valid. As has been shown, the disclosure of Kawasaki is so divergent from Applicant's invention that the simple addition of Engel, a patent that discloses the use of magnets, can not render Applicant's invention obvious, as both devices contemplate external stimulation and do not affect internal joints.

The Examiner has rejected claim 6 as being obvious because Kawaski's device could arguably be used on a shoulder joint. This argument has merit as far as it goes, but Kawasaki's device, wrapped around the shoulder, would not prevent any shoulder joint

rotation, normal or abnormal, any more than it would prevent hip rotation. Therefore, it is immaterial whether the device of Kawasaki could potentially be wrapped around the shoulder. Furthermore, there would be no motivation to wrap the device of Kawasaki around the shoulder, because the primary purpose of the device is to apply hemostatic pressure to a wound via a balloon. The type of catheter wound contemplated for treatment by Kawasaki simply does not occur in the shoulder region.

With respect to claim 19, the Examiner argues that Figure 5A of Kawasaki teaches the steps recited in claim 19. In reality, Figure 5A helps demonstrate the differences between the two devices that render Applicant's device both novel and nonobvious. Specifically, in direct contrast to the Examiner's statement, Kawasaki does not show the step of wrapping the appendage securing section of the wrap at least once around the thigh prior to wrapping around the torso securing section. Kawasaki shows only an X-shaped single band wrap. This configuration simply does not provide the corrective pressure necessary for counteracting abnormal joint rotation, nor does it include the step of wrapping around the thigh. It surely does not provide the corrective pressure for the internal and external rotations claimed by Applicant. Generally speaking, Kawasaki simply provides a wrap that secures the portion of the device designed to apply pressure to a wound, and simply claiming that it is capable of exerting corrective pressures for abnormal joint rotation does not make it so.

The same facts and corresponding arguments apply to the Examiner's rejection of claim 20. The wrap of Hori, et al. U.S. Patent No. 5,464,420 (hereinafter "Hori") is not wrapped at least once around the thigh prior to attaching to the torso securing section. Similar to the device of Kawasaki, the device of Hori is wrapped in an X-shaped fashion,

around the thigh, and does not include an initial revolution around the thigh as claimed and illustrated by Applicant's invention. More importantly, the device of Hori is simply incapable of providing the corrective forces necessary to prevent the abnormal joint rotation as provided by Applicant's device.

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 12-0115.

In the event that an extension of time is required to file this response, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 12-0115.

Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Gary E. Lambert, Applicant's Attorney at (617) 720-0091 so that such issues may be resolved as expeditiously as possible.

For these stated herein and in view of the above remarks and arguments, Applicant asserts that this application is now considered to be in condition for allowance and such action is earnestly solicited. Applicant respectfully contends that each rejected Claim is patentable. Therefore, reversal of all rejections is courteously solicited.

Respectfully Submitted,

8-24-06
Date

Gary E. Lambert
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CLAIMS APPENDIX

1. A device for prevention of the abnormal joint rotation, comprising:

an appendage securing section constructed and arranged to secure to the appendage having the abnormal joint rotation;

a torso securing section having means for coupling to the appendage securing section, wherein the torso securing section is constructed and arranged to secure to the torso of the patient and to apply correcting pressure directed upon the appendage securing section, wherein the correcting pressure exerted by the torso securing section upon the appendage securing section counters the direction of the abnormal joint rotation.

2. The device of claim 1 wherein:

the torso securing section is constructed and arranged to secure to the torso of the patient and to apply correcting pressure upon the appendage securing section, where in the correcting pressure exerted by the torso securing section upon the appendage securing section counters the direction of the external rotation of the joint.

3. The device of claim 1 wherein:

the torso securing section is constructed and arranged to secure to the torso of the patient and to apply pressure upon the appendage securing section, wherein the correcting pressure exerted by the torso securing section upon the appendage securing section counters the direction of the internal rotation of the joint.

4. The device of claim 1 wherein:

the torso securing section has means for affixing upon it of at least one magnetic body.

5. The device of claim 1 wherein:

the appendage suffering from the abnormal joint rotation is a leg, wherein the joint having the abnormal rotation is a hip.

6. The device of claim 1 wherein:

the appendage suffering from the abnormal joint rotation is an arm, wherein the joint having the abnormal rotation is a shoulder.

7. The device of claim 1 wherein:

the torso securing section is composed of an elastic material.

8. The device of claim 1 wherein:

an appendage securing section constructed and arranged to secure to a thigh of a leg having the abnormal rotation of the hip; and

a torso securing section is constructed and arranged to secure to the torso of the patient and to apply correcting pressure directed upon the appendage securing section, wherein the correcting pressure exerted by the torso securing section upon the appendage securing section counters the direction of the abnormal rotation of the hip.

9. The device of claim 8 wherein:

the torso securing section is constructed and arranged to secure to the torso of the patient and to apply pressure upon the appendage securing section, wherein such pressure is inwardly directed in relation to the hip having

external rotation with a result of prevention of the external rotation of the hip.

10. The device of claim 8 wherein:

the torso securing section is constructed and arranged to secure to the torso of the patient and to apply pressure upon the appendage securing section, wherein such pressure is simultaneously inwardly, frontally and upwardly directed in relation to the hip having external rotation with a result of prevention of the external rotation of the hip.

11. The device of claim 8 wherein:

the torso securing section is constructed and arranged to secure to the torso of the patient and to apply pressure upon the appendage securing section, wherein such pressure is outwardly directed in relation to the hip having internal rotation with a result of prevention of the internal rotation of the hip.

12. The device of claim 8 wherein:

the torso securing section is constructed and arranged to secure to the torso of the patient and to apply pressure upon the appendage securing section, wherein such pressure is simultaneously outwardly, rearwardly and upwardly directed in relation to the hip having internal rotation, with a result of prevention of the internal rotation of the hip.

13. The device of claim 1 wherein:

the appendage securing section has a first end and a second end; and

the torso securing section has a first end, an intermediate section, and a securing end, wherein the securing end of the torso securing section has means for coupling to the appendage securing section.

14. The device of claim 13 wherein:

the appendage securing section has means for coupling of the first end of the appendage securing section to the second end of the appendage securing section.

15. The device of claim 13 where in:

the first end of the appendage securing section is coupled to the second end of the appendage securing section.

16. The device of claim 13 wherein:

the torso securing section has means for coupling of the first end of the torso securing section to the intermediate section of the torso securing section.

17. The device of claim 13 wherein:

the first end of the torso securing section is coupled to the intermediate section of the torso securing section.

18. The device of claim 13 wherein:

the second end of the appendage securing section is joined to the first end of the torso securing section thereby forming a wrap.

19. A method of prevention of the external rotation of the hip by providing directed pressure upon a leg suffering from the external rotation of the hip, using a wrap comprising:

the appendage securing section having a first end and a second end;

the torso securing section having a first end, an intermediate section, and a securing end, wherein the securing end of the torso securing section has means for coupling to the appendage securing section; and

wherein the second end of the appendage securing section is joined to the first end of the torso securing section;

said method comprising:

a) placing the first end of the appendage securing section of the wrap against an inside of patient's thigh of the leg suffering from the external rotation of the hip, wherein the appendage securing section of the wrap is positioned in front of the thigh;

b) wrapping the appendage securing section of the wrap at least once around the thigh;

c) wrapping the torso securing section at least once around patient's torso by bringing the torso securing section of ht wrap up and over the lateral side of the hip suffering form the external rotation of the hip, over patient's lower back, and over patient's lateral side which lateral side is opposed to the side suffering form the external rotation of the hip; and

d) coupling of the securing end of the torso securing section of the wrap to the appendage securing section at the front of the thigh.

20. A method of prevention of the internal rotation of the hip by providing directed pressure upon a leg suffering from the internal rotation of the hip, using a wrap comprising:

the appendage securing section having a first end and a second end;

the torso securing section having a first end, an intermediate section, and a securing end, wherein the securing end of the torso securing section has means for coupling to the appendage securing section; and

wherein the second end of the appendage securing section is joined to the first end of the torso securing section;

said method comprising:

a) placing the first end of the appendage securing section of the wrap against an outside of patient's thigh of the leg suffering from the external rotation of the hip, wherein the appendage securing section of the wrap is positioned in front of the thigh;

b) wrapping the appendage securing section of the wrap at least once around the thigh;

c) wrapping the torso securing section at least once around patient's torso by bringing the torso securing section of the wrap up and over the front of ht thigh and over the abdomen, over patient's lateral side which lateral side is opposed to the side suffering from the internal rotation of the hip, and over patient's lower back; and

d) coupling of the securing end of the torso securing section of ht wrap to the appendage securing section at the front of the thigh.

EVIDENCE APPENDIX

The following is the evidence submitted by the examiner and relied upon by appellant in the appeal.

5,486,194	Kawasaki, et al.	1-1996
5,464,420	Hori et al.	11-1995
5,993,375	Engel	11-1999

RELATED PROCEEDINGS APPENDIX

There are no decisions rendered by a court or the Board in any proceeding as noted in the section titled: RELATED APPEALS AND INTERFERENCES.